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# HOUSE BILL No. 1803

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 24-4.8.

**Synopsis:** Spyware. Removes applicability exceptions in spyware laws. Repeals provisions authorizing a provider of computer software, the owner of a web site, or the owner of a trademark to bring a civil action against a person who violates spyware laws.

**Effective:** July 1, 2007.

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### Pierce

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January 26, 2007, read first time and referred to Committee on Technology, Research and Development.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1803

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 24-4.8-1-11, AS ADDED BY P.L.115-2005,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2007]: Sec. 11. (a) ~~Except as provided in subsection (b),~~  
4       "Transmit" means to transfer, send, or otherwise make available  
5       computer software or a computer software component through a  
6       network, the Internet, a wireless transmission, or any other medium,  
7       including a disk or data storage device.

8       (b) ~~"Transmit" does not include an action by a person who provides:~~

9           (1) ~~the Internet connection; telephone connection; or other means~~  
10          ~~of connection for an owner or operator; including a compact disc~~  
11          ~~or DVD on which computer software to establish or maintain a~~  
12          ~~connection is made available;~~

13          (2) ~~the storage or hosting of computer software or an Internet web~~  
14          ~~page through which the computer software was made available;~~  
15          ~~or~~

16          (3) ~~an information location tool; including a directory; an index;~~  
17          ~~a reference; a pointer; or a hypertext link; through which the~~



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1 owner or operator of the computer located the software;  
2 unless the person receives a direct economic benefit from the execution  
3 of the computer software.  
4 SECTION 2. THE FOLLOWING ARE REPEALED [EFFECTIVE  
5 JULY 1, 2007]: IC 24-4.8-2-1; IC 24-4.8-3.

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